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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,505	07/21/2003	William R. Hill	22471.00	4694

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EXAMINER

AVERY, BRIDGET D

ART UNIT	PAPER NUMBER
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3618

DATE MAILED: 03/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/622,505

Applicant(s)

HILL ET AL.

Examiner

Bridget Avery

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,4,5 and 9-17 is/are rejected.
- 7) ☒ Claim(s) 2,3 and 6-8 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 07/21/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The Information Disclosure Statement filed by applicant on July 21, 2003 is acknowledged and has been considered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 1 and 9-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cobb (US Patent 5,641,173), Chen (US Patent 5,301,963) and Horste (US Patent 2,688,571) in view of Hodgkin (US Patent 2,210,292).

Cobb teaches a multifunction stroller, including: a base platform having a top surface, a front end and a rear end; at least one front wheel attached to the platform; a seat attached to the top surface of said platform, the seat being adapted for accommodating a child; a handle/tow bar extending from the rear end of the platform.

Cobb lacks the teaching of a rear wheel assembly.

Chen teaches a multifunction stroller including a rear wheel assembly and a seat including a horizontal member and a backrest pivotally attached to the horizontal member via frame (65)

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Based on the teachings of Chen, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to provide a rear wheel assembly to permit use of the stroller without a towing vehicle.

Cobb and Chen lack the teaching of a spoiler.

Horste teaches a spoiler (20), the spoiler being a thin, wide, arcuate plate having a first end attached to the platform (14) and an inverted U-shaped channel defining an opposite second end, the second end being arched above and rearward of the platform (14).

Based on the teachings of Horste, it would have been obvious to one having ordinary skill in the art, at the time the invention was made, to modify the combination of Cobb and Chen to include a spoiler to facilitate quick connect and disconnect of the stroller from a trailing/towing vehicle.

The combination of Cobb, Chen and Horste lack the teaching of a clamp plate.

Hodgkin teaches a clamp plate (32, 40).

Based on the teachings of Hodgkin, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify the combination of Cobb, Chen and Horste to include a clamp plate to prevent uncoupling of the spoiler from the trailing/towing vehicle. Regarding claim 17, the provision of an additional connector/auxiliary extension plate, would have been an obvious duplication of parts, which is well with the level of ordinary skill in the art.

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3. Claim 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cobb ('173), Chen ('963), Horste ('571) and Hodgkin ('292) as applied to claim 1 above, and further in view of Bender (US Patent 1,662,292).

The combination of Cobb, Chen, Horste and Hodgkin lack the teaching of a swiveling caster wheel.

Bender teaches a swiveling caster wheel (17).

Based on the teachings of Bender, it would have been obvious to one having ordinary skill in the art, at the time the invention was made to modify the combination of Cobb, Chen, Horste and Hodgkin to replace the front wheel with a swiveling caster wheel to improve the directional steering of the stroller when detached from a trailing/towing vehicle.

Allowable Subject Matter

4. Claims 2, 3 and 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bartlett shows a shopping trolley.

Bridges shows a stroller device.

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Rust et al. shows a foldable compact molded stroller and trailer with flexible hitch.

Paez shows a child's safety seat for shopping cart.

Chen shows a towable child carriage.

Grant shows a mobile stretcher support.

Dykes shows a self-propelled electric vehicle and battery mount.

Lapointe shows a child's wagon with obstacle clearing guard.

Curty shows a child's trailer.

Best shows a child's vehicle.


Fever, Jr. shows a combined toy wagon and trailer.

6. Any inquiry concerning this communication should be directed to Bridget Avery at telephone number 703-308-2086.



Avery

March 21, 2005



PAUL N. DICKSON
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